



GUIDELINES FOR CONDUCTING VOTER REGISTRATION DRIVES

The State Board of Elections (SBE) thanks you for your efforts to increase voter registration and participation in the Commonwealth of Virginia. While Virginia state law permits individuals and groups to conduct voter registration drives, there are several requirements in the law that individuals must follow. These guidelines outline the requirements imposed by the Code of Virginia and instructions and best practices as prescribed by SBE on how to effectively and lawfully conduct a voter registration drive. **Please read these instructions carefully as failure to follow the requirements laid out by state law may result in criminal penalties.**

SBE requests that you explain these requirements and guidelines to all your staff and volunteers involved in your registration drive. At the very minimum, you should distribute the one-page “Rules of the Road” document to your workers and volunteers circulating registration applications.

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Rules of the Road: Best Practices and Overview for Volunteers

Helping voters register – like driving or filing taxes – is a serious undertaking. Please take time to review these guidelines and don't hesitate to contact the State Board of Elections (SBE) or a local general registrar if you are uncertain on the laws and proper procedures. Failure to obey the applicable laws for registration drives may result in criminal penalties.

1. When approaching individuals, introduce yourself and the organization you represent, explain your purpose, the qualifications to vote in Virginia, and whether or not you will deliver the completed application for the voter.
2. Target only non-registered individuals who are qualified to vote or who have outdated registration information such as those who moved and did not update their registration address.
 - ✓ Don't complete or accept applications for anyone who you know is not eligible to vote, such as a convicted felon whose rights have not been restored or a non-Virginia resident.
 - ✓ Don't attempt to re-register individuals who are registered and have updated information.
 - ✓ You should leave the registration application with the individual if he/she is uncertain as to their registration status or qualifications to register to vote.

The Qualifications to Vote in Virginia:

- ✓ Citizen of the United States.
- ✓ Resident of Virginia (Residency requires both domicile and a place of abode. To establish domicile, a person must live in a particular locality with the intention to remain. A place of abode is the physical place where a person dwells.) Voters must provide a current residence address when completing the application.
- ✓ Must be at least 18 years old on or before the date of the next general election.
- ✓ Unless rights have been restored, must not have been convicted of a felony nor have been judged by a court to be mentally incapacitated (either in VA or another state).

3. Instruct individual that the application **must** be completed **neatly, accurately,** and in its **entirety.**
 - ✓ Failure to provide the required information, including citizenship status and notification of current registration status in Virginia or other state, will result in the rejection of an applicant's registration.
 - ✓ Intentionally making a materially false statement on the registration application may result in felony prosecution or other penalties.
4. Unless specifically directed by the applicant, do not fill in the blanks on the registration application.
5. Respect the wishes of those who decline to register. It is unlawful to, by use of threats or force, interfere with or attempt to interfere with a person applying or declining to register to vote. Va. Code § 24.2-1002.
6. Those registering should be reminded that they are required to provide their identification at the polls. Please encourage individuals to contact SBE or their local registration office or visit SBE's website for more information on the identification requirements to vote in Virginia.
7. **If you offer to deliver the application, you must complete and provide a receipt to the applicant upon his/her completion of the application.** Va. Code § 24.2-418.1.
8. **You must deliver completed applications to the general registrar or to SBE within 15 days or by the next election's registration deadline, whichever date comes first.** Va. Code § 24.2-1002.01.
 - ✓ The registration deadline for the November 6, 2012 General Election is October 15, 2012
9. To ensure the timely and accurate processing of registration applications, you should provide the appropriate general registrar with an alphabetical list detailing the name on every application delivered.
10. ****You may be subject to criminal penalties if you fail to give the applicant a receipt to document your timely delivery of completed applications.****

Questions or Concerns? Please contact SBE at 1-800-552-9745 or by email at Info@Sbe.virginia.gov.

The Do's: Basic Instructions and Guidelines

1. **If you are the organizer, manager, or supervisor of your organization's voter registration drive, ensure that your volunteers and staff are trained on and knowledgeable about these guidelines and Virginia law on voter registration drives.**
 - ✓ Voter registration drives are serious undertakings and it is imperative you follow the laws and guidelines that are designed to protect both the drive and the registration applicant. It is essential that all participants in your organization's voter registration drive are made aware of the rules, regulations, and guidelines related to voter registration drives as well as the legal consequences for failure to comply with Virginia and federal law.
 - ✓ When conducting drives your volunteers and staff should, at a minimum, keep the one page "Best Practices and Overview for Volunteers" document on page 2 with them for quick reference.
 - ✓ Each section of the registration application asks for information that the applicant must provide in order for the general registrar to accept the application and register the individual. It is important that you familiarize yourself with the application. These guidelines should answer any questions you may have regarding the registration application; however, if questions remain please contact SBE or a local general registrar.
2. **You should only seek to register eligible Virginia residents who are not currently registered and those whose registration information is not up to date:**
 - ✓ Please review the FAQ section below as it relates to qualifications to register to vote in Virginia. Individuals ineligible to vote should not be instructed to complete registration applications.
 - ✓ Individuals should complete a new application only to apply to register to vote or notify their local general registrar of a change to their existing voter registration record such as a change in residence address or name.
 - ✓ You should not seek to re-register individuals who are already registered to vote and whose information is current. You should also not offer applications to individuals who indicate they are not residents of Virginia. Please see "The Don'ts" #1 below for additional information.
3. **Drives must complete and provide applicants a receipt if offering to deliver a completed application:**
 - ✓ If you offer to deliver the application, Virginia state law requires that voter registration drives provide the applicants a receipt upon his/her completion of the voter registration application. Va. Code § 24.2-418.1.
 - ✓ Attached to the registration application is a receipt that requests and/or displays the following information:
 - The receipt requests the individual to provide the name of the applicant, the name of the group or individual receiving the application, an email address and daytime telephone number of the group or individual delivering the application, and the date the application was completed.
 - The form also provides contact information for SBE and notes that individuals should contact SBE if the voter has not been notified of their registration status

within 30 days. You may also wish to refer individuals to the contact information for local registration offices located on the back of the registration application instruction form.

- ✓ Your group may also prepare receipts that request and include the same information on the receipt on the registration application listed above.
- ✓ The receipt shall be completed by the person or group receiving the completed form from the applicant.
- ✓ **You may be subject to criminal penalties if you fail to give the applicant a receipt to document your timely delivery of completed applications.** Va. Code §§ 24.2-418.1, 24.2-1002.01, 24.2-1017 and 24.2-1018.

4. Drives must deliver completed applications to the appropriate general registrar or to SBE within 15 days or by the next election's registration deadline, whichever is sooner:

- ✓ Best practices dictate delivery of the completed applications to the appropriate local general registrar. Virginia state law requires that individuals receiving completed applications timely deliver the application to the general registrar, SBE, or designated voter registration agency. Va. Code § 24.2-1002.01.
- ✓ The mailing or delivery of an application is timely if it is mailed or delivered within 15 days of the applicant's signature on the application or by the voter registration deadline for the next election, **whichever comes first.**
- ✓ Please be mindful of upcoming voter registration deadlines when circulating applications. (Please see FAQ below on registration deadlines.) **Applications circulated inside 15 days of an election's registration deadline must be mailed or delivered prior to that applicable deadline.** Please also do not assume that a new registrant is unlikely to vote in the election associated with the deadline.

*****Failure to timely deliver completed applications constitutes a Class 1 misdemeanor and can result in the failure of individuals to be timely registered and, consequently, disenfranchised. SBE and general registrars will refer these violations to the appropriate Commonwealth's Attorney and/or Office of the Attorney General for investigation and potential prosecution.*****

- ✓ To the extent possible, please sort and deliver the registration applications to the general registrar of the locality designated on the registration application. For example, one should not deliver a voter registration application for a Virginia Beach resident to the City of Richmond. Doing so delays processing the voter registration application and results in unnecessary costs to the registrar.
- ✓ Please also be considerate of not "dumping" voluminous numbers of voter registration applications on the registrar offices immediately prior to the registration deadline. Doing so makes it very difficult for local election officials to process the applications prior to the election. Instead, you should submit applications to the appropriate register as you receive them. Waiting until the applicable deadlines risks delaying the processing of applications and may result in insufficient time to resolve any problems with registration applications.

5. Drives Should Provide Alphabetical Listing of Applications with Registrar:

- ✓ SBE requests that voter registration drives provide the appropriate local general registrar with an alphabetical list detailing the name on every application delivered to the registrar.

- ✓ Such a list protects you and your applicants.

6. Be Aware of and Communicate Voter Identification Requirements to Applicants:

- ✓ Virginia law requires voters to provide identification at the polling place.
- ✓ There are several forms of ID that are permitted at the polling place and they include:
 - a Virginia voter identification card;
 - a valid Virginia driver's license;
 - a military ID;
 - any Federal, Virginia state or local government-issued ID; and
 - an employer issued photo ID card
- ✓ Please encourage applicants to contact the State Board of Elections or their local general registrar for questions on identification requirements to vote in Virginia as recent changes in law may have impacted those requirements.

7. Instruct volunteers that all voter registration applications must be completed neatly, accurately and in their entirety:

- ✓ Registration applications must be completed in their **entirety**. Incomplete applications may be rejected by the general registrar.
- ✓ Please instruct applicants to print as **neatly** as possible. Illegible handwriting on applications is a common reason for rejection of applications and keying errors when inputting the individual's data into the statewide registration database.
- ✓ The information provided must be **accurate**. There are criminal penalties for intentionally making a materially false statement on the application. Examples of materially false statements could include falsely affirming United States citizenship, legal age, not disclosing a prior felony conviction, residence address, or registration status in another state.
- ✓ **It is extremely important that volunteers and registration drive participants understand the legal qualifications to vote in the Commonwealth and that they convey that information to applicants when completing the voter registration application.** Please see the FAQ below addressing qualifications to register to vote in Virginia.

8. The assistant must be identified if he/she provides assistance to the applicant by signing the application (per #6 on the application) for an individual that is unable to sign due to physical disability. Va. Code § 24.2-418.

The Don'ts: Prohibitions and Penalties

1. Drives must not intentionally solicit multiple applications from any one person or seek to re-register a voter whose registration information is current:

- ✓ Virginia law explicitly prohibits an individual from soliciting multiple registrations from any one person or intentionally falsifying a registration application. Individuals violating this section shall be guilty of a Class 5 felony. Va. Code § 24.2-1002.01.
- ✓ You should also make every effort to avoid handing in duplicate registrations or re-registering individuals whose registration information is current. Some practical solutions to avoid re-registering current voters include:
 - If a voter believes that he/she may already be registered to vote and that his/her information may be current, you should leave the registration application with the voter and allow him/her to mail in the application after the individual has confirmed his/her status. Be sure to remind the applicant of upcoming registration deadlines.
 - Asking the voter if he/she has his/her voter registration card available and to have the voter review it and verify the information is up to date.
 - Contact SBE during normal business hours at 1-800-552-9745 or their local voter registration office. Staff can immediately confirm the voter's registration information.
 - Encourage the individual to verify his/her voter registration information online at <http://www.sbe.virginia.gov/register>.
 - Obtain lists of registered voters from SBE to cross-check potential registrants. Please see FAQ below.

*****Intentionally submitting duplicate registrations may be a felony and delays the processing of new registration applications.*****

- ✓ A registration application can be used to notify a general registrar of a change to the voter's record, including a change of address or a change of name. Please do accept applications from registered voters wishing to update their registration records.
- ✓ **It is a Class 1 misdemeanor to communicate false information to a registered voter, including false information regarding the voter's registration status.** Va. Code § 24.2-1005.1. Accordingly, it is unlawful to inform a voter that he/she needs to re-register after the individual affirms that his/her registration information is up to date.

2. Do not complete or accept applications for anyone that you know is not eligible to vote:

- ✓ Please read the FAQ section to become familiarized with the qualifications to vote in Virginia.
- ✓ Do not offer applications to felons whose rights have not been restored, non-residents of Virginia, and others you know are ineligible to vote. Similarly, do not provide advice that an individual may legally be registered to vote in multiple states.
- ✓ Under no circumstances should you knowingly accept an application from someone using a fictitious name or alias.
- ✓ **Any willfully false material statement or entry made by any person in a voter registration application constitutes election fraud and is punishable as a Class 5 felony.** Va. Code § 24.2-1016.
- ✓ **Persuading a voter to provide false information on his/her voter registration**

application may also constitute the felony crime of solicitation. Va. Code §§ 18.2-29 and 24.2-1004.

3. Do not destroy, make changes to, or alter in any way a completed voter registration application:

- ✓ Virginia state law expressly prohibits an individual from intentionally destroying a completed registration application. Va. Code § 24.2-1002.01 (Class 1 misdemeanor).
- ✓ Virginia also expressly prohibits an individual from intentionally falsifying a registration application. Va. Code § 24.2-1016 (Class 5 felony).
- ✓ **Changing an application to accomplish fraud is a Class 5 felony.** Va. Code § 24.2-1009.

4. Unless the individual is physically disabled you must not sign the application:

- ✓ Please Review Section #6 on the registration application. Individuals providing assistance **must** include their name and address if they sign for the applicant.
- ✓ It is important to print neatly and legibly if you do offer assistance.

5. Voter registration is a public accommodation like a bus or restaurant: You cannot discriminate illegally:

- ✓ It is a violation of federal law to refuse to provide a registration application to an individual because of his/her race, religion, or other suspect classification.
- ✓ Conducting a partisan registration drive that discriminates based on political party affiliation could endanger your organization's tax-exempt status. Please review the applicable Internal Revenue Service (IRS) guidelines and/or consult with legal counsel regarding registration drives and tax-exempt status.

6. Must not misuse personal information contained on the registration application:

- ✓ **Warning: Unauthorized disclosure of all or part of an applicant's social security number is a felony. Unauthorized use of any personal information to defraud also is a crime.** Va. Code §§ 18.2-186.3, 24.2-1002.1.
- ✓ Virginia law contains specific prohibitions regarding the use of personal information without permission of the person who is the subject of the identifying information. Please review Va. Code § 18.2-186.3 to ensure that any proposed retention of registration information is in compliance with Virginia law.
- ✓ State law allows the release of lists of registered voters to certain organizations for political purposes and/or to promote voter registration. We encourage you to contact the State Board of Elections if you or your organization would like to receive a list of registered voters. Please see FAQ section below for more information.

7. Must not bribe, threaten, coerce, intimidate, etc. voters into registering to vote:

- ✓ State law expressly prohibits the use of threats or force to interfere with or attempt to interfere with any person applying for or declining to register to vote. Va. Code § 24.2-1002.
- ✓ Federal law prohibits an individual from using intimidation, threats, or coercion in urging or aiding a person in registering to vote. 42 USC § 1973gg-10.
- ✓ Federal law also prohibits an individual from offering enticements or incentives for completing a voter registration application. 42 USC § 1973i(c).
- ✓ Federal law also expressly prohibits charging anyone for a voter registration application or charging for helping them to fill out the application. 42 USC §

1973i(c).

- ✓ Conspiracies to interfere with free exercise of voting rights are subject to felony prosecution under state law. Va. Code § 24.2-1015.

8. Do not write on or attach anything to the voter registration application, especially material related to candidates or ballot measures:

- ✓ Do not attach anything to the registration application. Va. Code § 24.2-418.

Frequently Asked Questions

General Questions:

Q. Who May Register to Vote in Virginia?

Below, please find the qualifications to register to vote in Virginia:

- ✓ Must be a citizen of the United States.
- ✓ Must be a resident of the state of Virginia. A person who has come to Virginia for temporary purposes and intends to return to another his/her state of residence is not considered a Virginia resident for voting purposes. Persons who legally reside in another state (for example, students who intend to return to their home state upon graduation) should register in their home state using the voter registration application for their home state, or the national application, not the Virginia application.

*****Residency in Virginia is a prerequisite to be eligible to register to vote. Residency requires both domicile and a place of abode. To establish domicile, a person must live in a particular locality with the intention to remain. A place of abode is the physical place where a person dwells. *****

- ✓ Must be at least 18 years old on or before the date of the next general election. (Seventeen-year olds who will be 18 by the next general election may register in advance and vote in any primary or special election in the intervening period prior to the general election. Seventeen year olds who will be 18 by the next presidential election may register in advance and vote in any presidential primary or other primary held on the same day as the presidential primary.)
- ✓ Unless voting rights have been restored, the applicant must have no felony conviction, nor have been judged by a court to be mentally incapacitated. (Please see FAQ below on felons.)
 - For felonies, the Governor or the convicting jurisdiction can restore voting rights.
 - For adjudications of incapacity, a court order is required to restore voting rights.
- ✓ Virginia law makes special provisions for some military and overseas voters. Please have individuals with questions contact the State Board of Elections or their local registration office should they have questions regarding their registration eligibility.
- ✓ For more information please review Va. Constitution Article II, §§ 1-2 and Va. Code §§ 24.2-101, 24.2-400, 24.2-417 and 24.2-418.

Q. How does a felon know if his/her rights have been restored?

- ✓ Those convicted of a felony in Virginia must apply to the Governor or other appropriate authority to have their rights restored. Some states automatically restore voting rights to felons. Individuals convicted of a felony in a state other than Virginia should contact the appropriate authorities in that state to determine whether or not their rights have been restored. If a person has been convicted of a felony and would like to know eligibility requirements for restoration of civil rights, he/she should contact:
 - Restoration of Rights Director
 - Office of the Secretary of the Commonwealth

Post Office Box 2454, Richmond, Virginia 23218-2454

Phone: (804) 692-2531

<http://www.soc.state.va.us/JudicialSystem/Clemency/clemency.cfm>

- ✓ **Do not attempt to register felons whose voting rights have not been restored—you and the applicants could be prosecuted for felony voter fraud.** Va. Code § 24.2-1004(B).

Q. Where do I obtain voter registration applications for my drive?

- ✓ The State Board of Elections will make available to any individual or group a reasonable number of mail voter registration application forms. Va. Code § 24.2-416.3.
- ✓ **Blank** applications may be photocopied. However, an original signature is required on completed applications.
- ✓ A PDF of the voter registration application can be downloaded at www.SBE.virginia.gov.
- ✓ Please complete the Virginia Voter Registration Application Request Form on page 18 below to request registration applications for your drive.

Completing the Application:

Q. What information is required to be completed on the application?

- ✓ **All** required information asked for on the application **must** be provided. The phone number and email address are not required. However, please let the voter know that failure to include that information may result in the inability of election staff to contact the applicant should the staff member need to verify unreadable handwriting and may result in denial if they are otherwise unable to reach the voter where there is a lack of clarity. If any information requested on the application does not apply to the voter, he/she should write “none” or place a dash in the appropriate space. Va. Code § 24.2-418.
- ✓ It is required and important for an applicant to closely read and complete section #7 on the registration application that asks if the applicant is currently registered to vote in Virginia or another state. Completing this information allows the registrar to communicate with election officials in another state that the voter has registered in Virginia and that their registration should be cancelled.
- ✓ The registrant must sign and date the application.
- ✓ If the volunteer signs the application for the applicant, the volunteer must include his/her name and address on the application. Please see Section #6 on the registration application.
- ✓ Failure to complete the form properly may result in a denial of the application.
- ✓ It is important that the applicant and/or individual providing assistance print neatly and legibly when completing the voter registration application.

Q. Are applicants permitted to include a future address as their mailing or residence address?

- ✓ A voter must provide his/her **current** residence address and mailing address when registering to vote. § 24.2-418.

Q. Are applicants permitted to list a P.O. Box for their mailing address? If so, are they still required to list their street address?

- ✓ Some individuals may be qualified to list a P.O. Box as their mailing address in Section #3 of the registration application. These individuals must still list a residence address. Individuals qualified to list a P.O. Box mailing address either (1) have a residence address that is not deliverable by the USPS; OR (2) meet the legal definition of protected voter in the Code of Virginia who may non-publish their residence address in voter lists. The list of protected voters set out in the Code is as follows:
 - Active or retired law enforcement officers.
 - Persons under protective order.
 - Persons who are threatened or stalked.
 - Participants of the Address Confidentiality Program.
 - Judges and attorneys employed by the U.S. or Virginia Attorney General.
- ✓ **Protected voters claiming eligibility to nonpublish their residence address must check one of the boxes below the signature line in Section #6 of the registration application to certify they are legally eligible.**
- ✓ These eligible voters **must** still provide a complete residence address. This is necessary to determine their ballot choices and the location of their polling place. Va. Code § 24.2-418.
- ✓ If the registrant has any questions about mailing addresses or address protection, they should contact their local voter registration office or the State Board of Elections.

Q. What about homeless people? How do they complete the registration application?

- ✓ A homeless person can register to vote if he/she intends to remain in a locality indefinitely and provides some residence address indicating the primary place where he/she spends each night. This is necessary to determine for whom a person can vote and the location of the applicant's polling place.
- ✓ A mailing address is required to ensure that the voter will receive his/her registration card and to avoid cancellation of voting eligibility due to returned mail. Some homeless shelters allow people to have their voter registration cards mailed to the shelter address. By providing this service, the homeless person is able to pick up his/her card from the shelter address. Call the local general registrar's office if you have questions about registering the homeless.

Q. Am I permitted to assist a voter in completing his/her application?

- ✓ You may assist an individual with completing the application. All applications must be signed, either by the applicant or the assistant for a person unable to sign due to physical disability. Signing the form under felony penalty makes the person signing legally responsible for the truthfulness of all statements on the form. Any assistant must be identified if the applicant is unable to sign due to physical disability.
- ✓ A signature under a power-of-attorney is not permitted. Va. Code § 24.2-123.

Responsibility for Delivering and Timeliness of Delivery:

Q. Who is responsible for delivering the completed voter registration applications and where should they be delivered?

- ✓ If you offer to deliver or mail the completed registration applications to the local general registrar or SBE, then you must follow through on that offer or risk criminal penalties. Va. Code § 24.2-1002.01. Please see applicable deadlines below.
- ✓ Voter registration applications can be turned in to any local voter registration office or to the State Board of Elections, 1100 Bank St, 1st Floor, Richmond, VA 23219.
- ✓ For timely processing of registration applications, SBE encourages you to sort and deliver the completed applications to the general registrar of the locality indicated on the registration application. Applications are considered 'on time' once they arrive at SBE or at any Virginia registrar's office, or if they are mailed with a postmark on or before the final day of registration.
- ✓ Contact information for all general registrar offices can be found on the registration application and at the following website:
<https://www.voterinfo.sbe.virginia.gov/PublicSite/Public/FT2/PublicContactLookup.aspx>

Q. Is there a deadline for delivering completed voter registration applications?

- ✓ **Yes.** The coordinator of the voter registration drive has the responsibility for making sure all completed applications are mailed or delivered to ANY general registrar or the State Board of Elections within 15 days or before the due date, **whichever is earlier.** (22 days before any General Election Day). **The failure to timely deliver completed applications constitutes a Class 1 misdemeanor and can result in the failure of individuals to be timely registered and, consequently, disenfranchised.** SBE and general registrars will refer these violations to the appropriate Commonwealth's Attorney and/or Office of the Attorney General for investigation and prosecution. Va. Code § 24.2-1002.01
- ✓ If mailed, registration applications must be postmarked no later than the voter registration deadline.
- ✓ If delivered in person, either by the applicant or a third party, the application must be received by the deadline.
- ✓ Applications postmarked or received after the deadline will be held and processed after the election; these applications will be effective for the next election if the applicant is otherwise qualified.
- ✓ Please see below for upcoming voter registration deadlines.

Q. When is the voter registration deadline?

- ✓ For a general or primary election, the deadline is the close of business on the 22nd day before the election. Va. Code § 24.2-416.
- ✓ Limited exceptions may apply for certain military and returning overseas voters. Va. Code §§ 24.2-419 and 24.2-420.1.
- ✓ For a special election held at a time other than a general election, deadlines are shorter (either thirteen or six days prior to the election). Va. Code § 24.2-416.
- ✓ The voter registration deadline for the November 2012 General Election is **October 15, 2012**.
- ✓ SBE encourages you to contact the agency or a local general registrar if you have any questions or uncertainty regarding your obligations to return completed voter registration applications by the registration deadline for a particular election.

Q. What if applicants wish to keep their voter registration applications and turn them in themselves?

- ✓ If the applicant requests, you must allow him/her to take the voter registration application and return it him/herself.
- ✓ SBE encourages this practice. It relieves the registration drives of the responsibility to timely deliver applications and provide a receipt, allows individuals to verify their registration status before submitting another application, and ensures that general registrars are not inundated with large numbers of registration applications immediately prior to the registration deadline.
- ✓ The applicant can deliver the voter registration application through the postal system or in person to any voter registration office.
- ✓ It would be helpful for you to provide envelopes with postage stamps to individuals who wish to mail in their registration application.
- ✓ Allowing an individual to submit his/her own registration applications is particularly appropriate when the voter suspects that he/she is already registered and/or the registration information is up to date.

Other Questions:

Q. How will individuals know if their registration was accepted?

- ✓ The local general registrar will determine registration eligibility. A voter registration card will be mailed to eligible registrants. Va. Code §§ 24.2-417 and 24.2-418.
- ✓ A denial letter will be mailed to any applicant determined not to be eligible.
- ✓ Any applicant who does not receive either a voter card or denial notice within 30 days should contact their local registration office.
- ✓ Any application received after the registration deadline will not be processed until after the election which follows the registration deadline. No voter cards or denial letters will be issued during this period. Va. Code § 24.2-416.

Q. What about the national voter registration application?

- ✓ The national application is available at www.eac.gov and should be used for persons with legal residence outside Virginia.
- ✓ SBE and the local general registrars strongly urge your registration drive to use the Virginia Voter Registration Application as it requests all information required to register to vote in Virginia. The national application does not ask the applicant if he/she was convicted of a felony, information that is required to be provided in order to submit a complete registration application in Virginia.
- ✓ Active-duty military personnel should be encouraged to use the Federal Post Card Application, available at: <http://www.fvap.gov/resources/media/fpca.pdf>.

Q. May I obtain a list of Virginia registered voters?

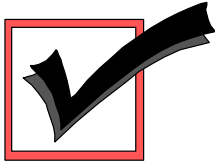
- ✓ Maybe. The Code of Virginia permits SBE to furnish, at a reasonable price, lists of registered voters to certain groups and individuals, including non-profit organizations that promote voter participation and registration.
- ✓ Please review Va. Code § 24.2-405 and contact SBE staff if you would like to request a list of registered voters.

Q. Is training available for my registration drive workers?

- ✓ Yes. You will find that most local general registrars are more than happy to provide training opportunities for you and your volunteers and staff. The State Board of Elections is also happy to provide additional guidance and training opportunities upon your request. Please contact your local registrar or the State Board of Elections for more information.

Q. What if I have a question not addressed by these guidelines?

- ✓ For questions concerning deadlines, completion of the application and voting on Election Day, call your local voter registration office or the State Board of Elections at (804) 864-8901, (800)-552-9745 or 1-800-260-3466 (TTY).



Checklist for Voter Registration Drives

I and my organization's volunteers and/or employees:

- ☐ Have read and are familiar with these voter registration drive guidelines.
- ☐ Have read and are familiar with the Virginia Voter Registration Application.
- ☐ Have read the applicable Virginia Code sections and understand the criminal penalties for failure to comply with Virginia law as it relates to voter registration activities.
- ☐ Have instructed my organization's volunteers about the laws and best practices for conducting registration drives, including criminal penalties.
- ☐ Have distributed the Best Practices and Overview for Volunteers one page sheet to my volunteers/staff.
- ☐ Have ensured that applicants completed the voter registration applications in their entirety.
- ☐ Have included name and address on each application if volunteer signed application due to applicant's physical disability. (Please read #6 on voter registration application.)
- ☐ Provided a receipt to all individuals completing voter registration applications.
- ☐ Prepared an alphabetical listing of applications delivered to the local registrar.
- ☐ Delivered any completed voter registration applications to the appropriate registrar within 15 days or by the next registration deadline, whichever is sooner.
- ☐ Have otherwise complied with the Virginia laws and SBE guidance concerning voter registration drives.

Relevant Statutes, Including Criminal Penalties

Va. Code § 24.2-1002.01 Destruction of, or failure to mail or deliver, voter registration application; penalty.

If any person (i) agrees to mail or deliver a signed voter registration application to the voter registrar or other appropriate person authorized to receive the application and (ii) intentionally interferes with the applicant's effort to register either by destroying the application or by failing to mail or deliver the application in a timely manner, he shall be guilty of a Class 1 misdemeanor. The mailing or delivery of an application shall be deemed timely for the purposes of this section if it is mailed or delivered within 15 days of the applicant's signature or in accordance with the provisions of § [24.2-416.4](#) for processing before the closing of the registration records for the pending election whichever comes first. This section shall not apply to any state or local government employee acting in his official capacity. If any person intentionally solicits multiple registrations from any one person or intentionally falsifies a registration application, he shall be guilty of a Class 5 felony.

Va. Code § 24.2-1002. Interference with registration.

Any person who, by threats or force, interferes with or attempts to interfere with (i) any registrar in the discharge of his duty, (ii) any person applying to register or declining to apply to register, or (iii) any person going to or leaving a registration location as defined in Article 3 (§ [24.2-411](#) et seq.) of Chapter 4 of this title or a polling place, or (iv) any person going to or leaving any other location at which persons offer mail applications under Article 3.1 (§ [24.2-416.1](#) et seq.) of Chapter 4 of this title shall be guilty of a Class 1 misdemeanor.

Va. Code § 24.2-1002.1. Unlawful disclosure or use of social security number or part thereof.

Any person who discloses or makes any use of the social security number, or any part thereof, of any applicant for voter registration, except as authorized by law for official use, shall be guilty of a Class 5 felony.

Va. Code § 24.2-1004. Illegal voting and registrations.

A. Any person who wrongfully deposits a ballot in the ballot container or casts a vote on any voting equipment, is guilty of a Class 1 misdemeanor.

B. Any person who intentionally (i) votes more than once in the same election, whether those votes are cast in Virginia or in Virginia and any other state or territory of the United States, (ii) procures, assists, or induces another to vote more than once in the same election, whether those votes are cast in Virginia or in Virginia and any other state or territory of the United States, (iii) votes knowing that he is not qualified to vote where and when the vote is to be given, or (iv) procures, assists, or induces another to vote knowing that such person is not qualified to vote where and when the vote is to be given is guilty of a Class 6 felony.

C. Any person who intentionally (i) registers to vote at more than one residence address at the same time, whether such registrations are in Virginia or in Virginia and any other state or territory of the United States, or (ii) procures, assists, or induces another to register to vote at more than one address at the same time, whether such registrations are in Virginia or in Virginia and any other state or territory of the United States, is guilty of a Class 6 felony. This subsection shall not apply to any person who, when registering to vote, changing the address at which he is registered, transferring his registration, or assisting another in registering, changing his address, or transferring his registration, provides the information required by § [24.2-418](#) on the applicant's place of last previous registration to vote.

Va. Code. § 24.2-1005.1. Communication of false information to registered voter.

A. It shall be unlawful for any person to communicate to a registered voter, by any means, false information, knowing the same to be false, intended to impede the voter in the exercise of his right to vote. The provisions of this section shall apply to information only about the date, time, and place of the election or the voter's precinct, polling place, or voter registration status.

- B. Any person who violates the provisions of this section shall be guilty of a Class 1 misdemeanor.
- C. A violation of this section may be prosecuted either in the jurisdiction from which the communication was made or in the jurisdiction in which the communication was received.

§ 24.2-1009. Stealing or tampering with ballot containers, voting or registration equipment, software, records or documents.

Any person who (i) steals or willfully, fraudulently, or wrongfully tampers with any part of any ballot container, voting or registration equipment, records, or documents, which are used in any way within the registration or election process, (ii) steals or willfully, fraudulently, or wrongfully tampers with the software used to prepare and operate voting equipment or the software or hardware used to collect and disseminate election returns, (iii) steals or willfully, fraudulently, or wrongfully tampers with an electronic activation device or electronic data storage medium of the type used to prepare, operate or back-up electronic voting equipment, (iv) willfully, fraudulently, or wrongfully intercepts, alters or disrupts the electronic transmission of election returns or the posting of returns on the Internet, (v) fraudulently makes any entry, deletion, or alteration to any item listed in (i), or (vi) aids, abets, or permits any other person to violate the provisions of clauses (i) through (v), shall be guilty of a Class 5 felony.

Va. Code § 24.2-1015. Conspiracy against rights of citizens under this title.

If two or more persons conspire to injure, oppress, threaten, intimidate, prevent, or hinder any citizen of this Commonwealth in the free exercise or enjoyment of any right or privilege secured to him by the provisions of this title, or because of his having so exercised such right, they shall be guilty of a Class 5 felony.

Va. Code § 24.2-1016. False statements; penalties.

Any willfully false material statement or entry made by any person in any statement, form, or report required by this title shall constitute the crime of election fraud and be punishable as a Class 5 felony. Any preprinted statement, form, or report shall include a statement of such unlawful conduct and the penalty provided in this section.

Va. Code. § 24.2-1017. Penalties when not specifically provided elsewhere.

Any conduct made unlawful by this title, for which no punishment has been otherwise provided, shall be a Class 1 misdemeanor.

See also: Va. Code §§ 18.2-29, 18.2-186.3, 24.2-101, 24.2-400, 24.2-417, and 24.2-418; Va. Constitution Article II, §§ 1-2.

VOTER REGISTRATION APPLICATION REQUEST FORM (200 maximum)

I state the following:

1. I am requesting voter registration applications from the State Board of Elections.

2. My plan for distributing these application forms: _____

3. Estimated number of individuals being canvassed: _____

4. Locations used to distribute forms: _____

5. Number of registration forms requested: _____

I acknowledge the following:

I have read the Guidelines for Conducting Voter Registration Drives and understand that criminal penalties may apply if I and/or my organization's volunteers/staff fail to comply with Virginia and federal law. I specifically agree as follows:

- ✓ I will provide all applicants for registration accurate information, including notice of their option to hand-carry, mail, or to permit me to return, their Voter Registration Application to any Virginia Voter Registration office or the State Board of Elections.
- ✓ I will provide a completed receipt to all applicants for whom I take applications.
- ✓ I will return all completed applications within fifteen (15) days of receipt as required by law or before the close of voter registration, whichever is sooner. I will also return any unused applications to a Virginia Voter Registration Office or the State Board of Elections.
- ✓ I will not mark, add, change, or delete any information on the Voter Registration Application, nor will I destroy, or dispose of the application in any way.
- ✓ I will not copy, duplicate, or distribute any social security or other personal information from any application.

Signature _____

Name (First, MI, Last): _____

Organization: _____

Address: _____

City/State/Zip: _____

Telephone #: _____

Email Address: _____

Please return completed form to:

STATE BOARD OF ELECTIONS
Registration Outreach Programs
1100 Bank Street, 1st Floor
Richmond, VA 23219-3497
Fax # (804) 371-0194